

# Exhibit 4

**From:** [Sampson, Paul J. \(SLC\)](#)  
**To:** [Deschenes, Daniel M](#)  
**Cc:** [LeBlanc, Jay A.](#); [bdevonshire@sheehan.com](mailto:bdevonshire@sheehan.com); [Cozzi, Paul M.](#); [rlucic@sheehan.com](mailto:rlucic@sheehan.com); [Sidrys, Anne McClain](#); [Carter, Christopher H. M.](#); [Bush, Christine K.](#); [Millinger, Alexa T.](#)  
**Subject:** Re: Connection v. IBM, No. 1:22-cv-00397-JL (D.NH)  
**Date:** Wednesday, April 17, 2024 2:33:08 PM

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Dan,

Our interrogatory request is now almost two months old. Your unilateral refusal provide a response —after we agreed to two extensions—is troubling to say the least. We are willing to receive a proper response no later than this Friday, April 19, a full two months after we issued our interrogatory, but no later. Please confirm by 5pm ET today that Connection will produce its “supplementation” by this Friday and will provide the actual facts and information sought in IBM’s interrogatory. If you do not agree, we will file the motion. IBM cannot risk waiting until “next week,” only to again not receive the detailed facts requested. To the extent we receive the information sought by Friday we will of course withdraw our motion.

Thanks,  
Paul

Sent from my iPhone

On Apr 17, 2024, at 12:58 PM, Deschenes, Daniel M  
<[ddeschenes@hinckleyallen.com](mailto:ddeschenes@hinckleyallen.com)> wrote:

**This message is from an EXTERNAL SENDER**  
Be cautious, particularly with links and attachments.

<!--[if !((ie)|(mso))]>

**This message is from an EXTERNAL SENDER**  
Be cautious, particularly with links and attachments.

<!--[endif]>  
Paul:

As indicated in Connection’s response), the damages arising from lost customers/revenue is expected to be the subject of expert testimony. With that said, Connection agrees to provide a supplementation to its answer and will do so next week. – Dan

**Daniel M Deschenes**

*Partner*

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**From:** Sampson, Paul J. (SLC) <paul.sampson@kirkland.com>

**Sent:** Monday, April 15, 2024 12:01 PM

**To:** LeBlanc, Jay A. <JLeBlanc@hinckleyallen.com>; bdevonshire@sheehan.com; Cozzi, Paul M. <paul.cozzi@kirkland.com>; rlucic@sheehan.com; Sidrys, Anne McClain <asidrys@kirkland.com>

**Cc:** Deschenes, Daniel M <ddeschenes@hinckleyallen.com>; Carter, Christopher H. M. <ccarter@hinckleyallen.com>; Bush, Christine K. <cbush@hinckleyallen.com>; Millinger, Alexa T. <amillinger@hinckleyallen.com>

**Subject:** RE: Connection v. IBM, No. 1:22-cv-00397-JL (D.NH)

**EXTERNAL EMAIL**

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Counsel,

In its complaint, Connection made multiple factual allegations regarding lost customers and revenue resulting from IBM's alleged breaches. These allegations include factual claims that "the issues led to a significant loss of revenue" (¶ 80); the "deficiencies caused incorrect bills to be issued, resultant late (or no) payments, and severe customer satisfaction impacts" (¶ 83); the problems "directly resulted i[n] loss of orders and, ultimately, long-time customers" (¶ 85); and the issues "caus[ed] extreme client frustration, some of which took their business elsewhere" (¶ 87). As you know, factual pleadings such as these must have evidentiary support, and IBM is entitled to understand in detail the facts Connection believes support the allegations so it can pressure test them in discovery.

For that reason we are surprised by Connection's refusal to provide any response to IBM's Interrogatory No. 14, which asks Connection to identify the specific customers Connection claims it lost or from which it allegedly lost revenue because of IBM's alleged breaches. This is a factual question, not one that will solely "be the subject of expert testimony," as Connection claims in its interrogatory response, and the request is not "premature at this time."

Please confirm no later than next Tuesday, April 16, that Connection will amend its response and provide factual responses to Interrogatory No. 14. If Connection intends to stand on its improper objections, IBM will raise this issue with the Court.

Best,  
Paul

**Paul Sampson**

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**From:** LeBlanc, Jay A. <[JLeBlanc@hinckleyallen.com](mailto:JLeBlanc@hinckleyallen.com)>

**Sent:** Friday, April 12, 2024 3:25 PM

**To:** [bdevonshire@sheehan.com](mailto:bdevonshire@sheehan.com); Cozzi, Paul M. <[paul.cozzi@kirkland.com](mailto:paul.cozzi@kirkland.com)>; Sampson, Paul J. (SLC) <[paul.sampson@kirkland.com](mailto:paul.sampson@kirkland.com)>; [rlucic@sheehan.com](mailto:rlucic@sheehan.com); Sidrys, Anne McClain <[asidrys@kirkland.com](mailto:asidrys@kirkland.com)>

**Cc:** Deschenes, Daniel M <[ddeschenes@hinckleyallen.com](mailto:ddeschenes@hinckleyallen.com)>; Carter, Christopher H. M. <[ccarter@hinckleyallen.com](mailto:ccarter@hinckleyallen.com)>; Bush, Christine K. <[cbush@hinckleyallen.com](mailto:cbush@hinckleyallen.com)>; Millinger, Alexa T. <[amillinger@hinckleyallen.com](mailto:amillinger@hinckleyallen.com)>

**Subject:** Connection v. IBM, No. 1:22-cv-00397-JL (D.NH)

Counsel,

Please see attached.

Best,  
Jay

**John A. LeBlanc**

*Associate*

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